

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LOUIS W. BROCK,

Plaintiff,

v.

JOSEPH LEHMAN,

Defendant.

Case No. C05-5343RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's Motion for Extension of Time to Respond to the Report and Recommendation [Dkt. #18].

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

On February 23, 2007 Magistrate Judge Karen L. Strombom issued an Order to Show Cause and directed plaintiff to respond to the Order on or before March 23, 2007 [Dkt. #16]. Despite being warned that the failure to respond to the Order to Show Cause would result in the dismissal of his case, plaintiff did not respond to the Magistrate Judge's Order. Magistrate Judge Strombom issued a Report and Recommendation recommending that the complaint be dismissed without prejudice for the failure to timely serve defendant Lehman. [Dkt. #17]. Rather than respond to the Magistrate Judge's Order to Show Cause, plaintiff has filed the instant Motion for an Extension of Time to Respond to the Report and Recommendation and has solicited a Declaration of Michael Kahrs, Esq. regarding Mr. Kahr's assistance with service on defendant Lehman. This Court is non-plussed with plaintiff's choice to ignore the Magistrate Judge's Order to Show Cause and to only

1 respond once a Report and Recommendation recommending dismissal is filed. It is therefore

2 **ORDERED** that plaintiff **SHOW CAUSE** in writing on or before May 4, 2007 to this Court why his  
3 case should not be **DISMISSED WITH PREJUDICE** for failing to respond to the Magistrate Judge's Order  
4 to Show Cause. Plaintiff shall also respond to the Report and Recommendation on or before May 4, 2007.  
5 The response shall consist of a recitation of all the efforts made to serve defendant Lehman, including the  
6 efforts made between the date of this Order and the date of plaintiff's response.

7 The Clerk shall send uncertified copies of this order to all counsel of record, to any party appearing pro  
8 se, and to Magistrate Judge Karen L. Strombom.

9 Dated this 19<sup>th</sup> day of April, 2007.

10  
11   
12 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28